C.J.'s Court

Civil Writ Petition No. 2668 of 2001
(Old No. 10535/1995)

Virendra Mohan Uniyal …….. Petitioner

V/s

State of Uttaranchal and others …….. Respondents

……..

Hon. A.A.Desai,C.J.
Hon. Irshad Hussain,J.

Heard Sri Rakesh Thapaliyal, learned counsel for the petitioner, learned C.S.C. and Sri S. Dhulia, learned counsel for the Mussoorie-Dehradun Development Authority.

The petitioner was employee of Local Funds Department of the State Government. Sometime in 1989, he was sent on deputation to Mussoorie-Dehradun Development Authority. Initially, the deputation was for a period of three years. However, he continued till this date. He,therefore, claimed his absorption in the services of the Authority. Hence, he filed the present petition.

In the counter affidavit, Mussoorie-Dehradun Development Authority has expressed that they have no objection and they have also recommended the matter to the State Government in this regard. However, the State Government at one stage on 31.3.1995 has rejected the claim of absorption of the petition in the Authority. However, even then the petitioner continued on deputation till this date as observed. In view of his long continuation on deputatin, and as reported since the normal period of five years is over, it is more expedient in the interest of service to absorb the petitioner in Mussoorie-Dehradun Development Authority. We, therefore, direct accordingly.

The petition stands allowed.

(Irshad Hussain, J.) **(A.A.Desai, C.J.)**

26.09.2002
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